

**DENTISTRY EXAMINING BOARD  
MINUTES  
MAY 6, 2009**

- PRESENT:** Lori Barbeau, DDS; Linda Bohacek, RDH; Blane Christman, DDS; John Grignon, DDS; Carol Howard; Adriana Jaramillo, DDS; Kirk Ritchie, DDS; Nancy J. Rublee, RDH;
- EXCUSED:** Sandra Linhart, RDH; William Stempski, DDS
- STAFF PRESENT:** Tom Ryan, Bureau Director; Michael Berndt, Legal Counsel; Karen Rude-Evans, Bureau Assistant; and other DRL staff
- GUESTS:** Dylan Thomas, Community of Eau Claire/Christman Dental; Mike Kaske, & Mara Brooks, Wisconsin Dental Association (WDA); Steven Sewell, Wisconsin Society of Oral and Maxillofacial Surgeons (WSOMS); Tom Petri, Wisconsin Primary Health Care Association (WPHCA); Jeremy Levin, Rural Wisconsin Health Cooperative (RWHC); Matt Crespín, Children's Health Alliance of Wisconsin (CHAW); L. S. Brysh, Meriter Hospital; Warren LeMay, WI Division of Public Health; Hanan Youssef; Manlio Zuniga

**CALL TO ORDER**

Lori Barbeau, the Board Chair, called the meeting to order at 8:42 a.m. There was a quorum of 8 members present.

**PLEDGE OF ALLEGIANCE**

The Board Members, staff and guests rose and recited the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Amendments to agenda**

- Item "D" – 2 additional handouts regarding evaluation of dental and dental hygiene licensure exams
- Item "I" – 2 additional handouts regarding FAQ's Review Project
- After Item "Q" – Deliberation of Proposed Stipulation, Final Decision and Order in the matter of Patrick J. Crawford, DDS – Case Advisor – Lori Barbeau

**MOTION:** Linda Bohacek moved, seconded by Nancy Rublee, to approve the agenda as amended. Motion carried unanimously.

## **APPROVAL OF MINUTES OF MARCH 4, 2009 AND APRIL 6, 2009**

### **Amendments to Minutes of March 4, 2009**

- Page 1 – Under GUESTS, remove the semicolon at the end of the list
- Page 1 – Under CALL TO ORDER, change “11” to “9”
- Page 3 – Under HEARING, in paragraphs 1, 2 and 3, delete “allowing” and insert “the rule establishing a pathway”
- Page 8 – under MONITORING, in the motion, insert “to” immediately before “deny”

**MOTION:** Adriana Jaramillo moved, seconded by John Grignon, to approve the March 4, 2009 minutes as amended and the April 6, 2009 teleconference minutes as written. Motion carried unanimously.

## **WIS. ADMIN. CODE § DEN 2.04 RELATING TO LICENSURE OF FOREIGN TRAINED DENTISTS**

### **Review of Public Comments Received**

The Board reviewed the public comments.

**MOTION:** Nancy Rublee moved, seconded by Linda Bohacek, to approve the proposed Clearinghouse Rule 09-007 and to forward it to the legislature. Adriana Jaramillo opposed. Motion carried.

## **ADMINISTRATIVE REPORT**

### **Introduction of Hector Colon, DRL Executive Assistant**

Hector Colon was introduced to the Board and gave a brief summary of his background. He indicated that Secretary Jackson is doing more outreach, and suggested that if there are any events that the Board would like the Secretary to attend, please contact the Department. Mr. Colon looks forward to working with the Board.

### **Introduction of Gail Sumi, Board Services Division Administrator**

Gail Sumi was introduced to the Board and gave a brief summary of her background. She has about 22 years of experience with government, including working as a lobbyist for AARP and as lobbyist for the Wisconsin Alliance of Cities. Ms. Sumi is looking forward to working with the Board.

### **Impaired Professionals Procedure Task Force Committee**

Tom Ryan reported that the IPP Task Force Committee has held four meetings, the last two of which have been extremely productive. The Task Force is starting to develop recommendations for the IPP program.

### **Budget Report**

The Governor's proposed budget would have created a separate bureau for the Medical Examining Board. The Joint Finance Committee did not accept the proposal in full, but accepted it in part. Joint Finance approved six staff positions with two project positions, two years only. It is not clear at this time how these positions will be designated.

The Joint Finance Committee also eliminated passive review for fee proposals. The fees will now be set by statute if the proposal passes.

### **CENTRAL REGIONAL DENTAL TESTING EXAMINATION (CRDTS) ANNUAL MEETING INVITATION – BOARD REVIEW**

The Board members are invited to attend the CRDTS annual meeting in August.27-29, 2009.

**MOTION:** Linda Bohacek moved, seconded by Blain Christman, to allow board members to attend the CRDTS annual meeting pending approval by legal counsel. Motion carried unanimously.

This issue will be revisited at the July board meeting.

### **REPORT FROM AMERICAN ASSOCIATION OF DENTAL EXAMINER'S (AADE) MID-YEAR MEETING-APRIL 6, 2009**

Linda Bohacek gave an overview of the AADE mid-year meeting. One of the most pressing issues discussed was how the state of the economy is affecting the process of examinations. Access to care, alternative disciplinary programs and improved communication between boards, professional associations and educators were other topics covered at the meeting.

### **DISCUSSION OF REGIONAL CLINICAL EXAMINATIONS AND CONSIDERATION OF EXAMINATIONS RECOGNIZED BY THE BOARD**

Gail Pizarro gave a brief summary of the passing rates for the regional dental and dental hygiene exams. Passing rates are similar for all the exams. The Board discussed the regional exams and which exams they should accept. No decision was made and the Board will revisit this issue at the next meeting.

## **CRDTS CHANGES AFTER JUNE 30, 2009**

Gail Pizarro reported that CRDTS will terminate its association with ADEX after June 30, 2009. It is unclear how this will affect the examination. Currently the CRDTS exam incorporates ADEX parts I and III. For the next meeting, the Board requested Gail Pizarro obtain more information on CRDTS, a clarification as to what exam(s) CITA is giving in the various states and information on the dentistry and dental hygiene state board exams from California, Florida and Indiana.

## **RESIDENCY HOURS AND CONTINUING EDUCATION CREDITS**

The Board discussed counting dental residency hours toward continuing education credits. A dental applicant who is actively enrolled in a CODA accredited residency program for twelve (12) months during the biennium may count this as 30 CE hours for that biennium.

## **CONTINUING EDUCATION FOR DENTISTS AND HYGIENISTS RULE DRAFTING DISCUSSION AND REQUEST FOR FREQUENTLY ASKED QUESTIONS FOR DENTAL HYGIENISTS AND REQUEST FOR CE LIAISON**

Jill Remy and Nicole Goodman from the Office of Education and Examinations appeared before the board to review frequently asked questions regarding CE for dentists and dental hygienists. The CE requirements and hours differ for each profession.

Specific requirements for allowable and required CE hours need to be addressed in rule changes. Frequently asked questions should be more general in the response.

Nancy Rublee was appointed the CE liaison for dental hygiene and John Grignon was appointed the CE liaison for dentistry.

## **DISCUSSION OF RULE DRAFTING AND VARIOUS PROVISIONS RELATING TO LICENSING OF DENTISTS**

The Board reviewed the scope statement for various provisions relating to the licensing of dentists. Lori Barbeau will work with Ruby Jefferson-Moore to write the draft of the rule based on the discussion today. The Board would like to review the draft at the next meeting.

## **SUMMARY REPORTS OF PENDING COURT CASES, DISCIPLINARY ACTIONS, ADMINISTRATIVE RULES AND LEGISLATION**

Noted.

## **FAQ'S REVIEW PROJECT – STATUS**

Practice questions are often answered by legal counsel. Board members are also approached with questions. The Board is concerned with the accurate and timely exchange of information on a timely basis.

Michael Berndt brought up the issue as to whether or not staff should be answering practice questions.

Lori Barbeau asked that all clinical practice questions received between the May and July meetings be brought before the Board for review.

Linda Bohacek will send updates to FAQ's to legal counsel for posting on the DRL website.

## **PRACTICE QUESTION – DELEGATION OF DUTIES FOR DENTAL ASSISTANTS**

Tom Ryan will reply on behalf of the Board that dental assistants are not allowed to remove cement left from orthodontic appliances on tooth enamel as this is the practice of dental hygiene as defined in DE 3.02 (1)(e) which reads:

Removing excess cement from teeth, inlays, crowns, bridges and fixed orthodontic appliances.

## **BOARD CONSIDERATION OF APPOINTMENT OF NERB CONSULTANT DENTAL EXAMINERS**

**MOTION:** Kirk Ritchie moved, seconded by Linda Bohacek, to approve Keith Clemence as the NERB consultant dental examiner and Beth Clemence as the NERB consultant dental hygiene examiner. Motion carried unanimously.

## **CRDTS REPORT**

As discussed earlier, information will be gathered on the upcoming changes to the CRDTS exam.

## **ADEX REPORT**

**MOTION:** Linda Bohacek moved, seconded by John Grignon, to appoint William Stempski as the Board's representative to ADEX. Motion carried unanimously.

## **REGULATORY DIGEST**

The digest belongs to the Board and it is their responsibility to provide and edit articles. The digest is available on the Department's website. Linda Bohacek will review articles for a future edition.

## **LEGISLATIVE REPORT**

Blane Christman reported that AB103 and SB97 are moving forward. These bills will allow the Board to issue a permit authorizing the practice in this state, without compensation, of dentistry or dental hygiene to an applicant who is licensed to practice dentistry or dental hygiene in another state who meets all of the requirements.

## **DEFINITION OF DENTISTRY AND SPECIALTY LICENSING COMMITTEE REPORT**

Blane Christman reported the Committee is moving forward and hopes to have a recommendation to the Board in September. William Stempiski is not available today and he is an important part of the Committee. Due to the lack of a quorum, the Committee meeting scheduled for today was cancelled.

## **INFORMATIONAL ITEMS**

Noted.

## **PUBLIC COMMENTS**

None.

## **TRAVEL REQUESTS RECEIVED IN THE BUREAU AFTER PREPARATION OF THE AGENDA**

None.

## **CLOSED SESSION**

**MOTION:** Carol Howard moved, seconded by Linda Bohacek, to convene to Closed Session to deliberate on cases following hearing (Wis. Stat. § 19.85(1)(a)), to consider licensure or discipline (Wis. Stat. § 19.85(1)(b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1)(f)), and, to confer with legal counsel (Wis. Stat. § 19.85(1)(g)). Motion carried by roll call vote: Lori Barbeau-yes; Linda Bohacek-yes; Blane Christman-yes; John Grignon-yes; Carol Howard-yes; Adriana Jaramillo-yes; Kirk Ritchie-yes; Nancy Rublee-yes;

Open Session recessed at 12:14 p.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Nancy Rublee moved, seconded by Adriana Jaramillo, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 3:59 p.m.

**DELIBERATION OF PROPOSED STIPULATIONS, FINAL  
DECISIONS AND ORDERS**

**ROBERT A BREVARD, DDS**

**MOTION:** Adriana Jaramillo moved, seconded by John Grignon, to adopt the Findings of Fact, Conclusions of Law, Proposed Stipulation, Final Decision and Order in the matter of Robert A. Brevard, DDS. Motion carried unanimously.

**BENJAMIN INGALDSON, DDS**

**MOTION:** Adriana Jaramillo moved, seconded by Blane Christman, to adopt the Findings of Fact, Conclusions of Law, Proposed Stipulation, Final Decision and Order in the matter of Benjamin Ingaldson, DDS. Motion carried. John Grignon was excused during deliberation and abstained from voting.

**JOSEPH L ARENA, DDS**

**MOTION:** Linda Bohacek moved, seconded by Blain Christman, to adopt the Findings of Fact, Conclusions of Law, Proposed Stipulation, Final Decision and Order in the matter of Joseph L. Arena, DDS. Motion carried. John Grignon was excused during deliberation and abstained from voting.

**THOMAS R ANDERSON, DDS**

**MOTION:** Linda Bohacek moved, seconded by Blane Christman, to adopt the Findings of Fact, Conclusions of Law, Proposed Stipulation, Final Decision and Order in the matter of Thomas R. Anderson, DDS. Motion carried unanimously.

**PATRICK CRAWFORD, DDS**

**MOTION:** Adriana Jaramillo moved, seconded by Nancy Rublee, to adopt the Findings of Fact, Conclusions of Law, Proposed Stipulation, Final Decision and Order in the matter of Patrick Crawford, DDS. Motion carried unanimously.

**APPLICATION REVIEWS**

**JOSEPH LASPISA, DDS**

Dr. Joseph LaSpisa made a personal appearance before the Board.

**MOTION:** Blaine Christman moved, seconded by Adrianna Jaramillo, to approve the application and issue a dental license to Joseph LaSpisa, DDS, when all requirements are met. Motion carried. John Grignon was excused during deliberation and abstained from voting.

**MELISSA MOSHER**

Melissa Mosher made a personal appearance before the Board.

**MOTION:** Linda Bohacek moved, seconded by Kirk Ritchie, to approve the application and issue a dental hygiene license to Melissa Mosher when all requirements are met. The Board strongly recommends that Ms. Mosher take a refresher course and re-take her clinical board exam. Motion carried unanimously.

**LATASHA ARTIS**

Latasha Artis made a personal appearance before the Board.

**MOTION:** Linda Bohacek moved, seconded by Carol Howard, to approve the application and to issue a dental hygiene license to Latasha Artis when all requirements are met. Motion carried unanimously.

**AGNIESZKA DOMAGALA, DDS**

**MOTION:** Adriana Jaramillo moved, seconded by Linda Bohacek, to deny licensure to Agnieszka Domagala, DDS, as Marquette University is not a Board approved evaluation program. Motion carried unanimously.



**MANLIO ZUNIGA, DDS**

**MOTION:** Adriana Jaramillo moved, seconded by Nancy Rublee, to deny licensure to Manlio Zuniga, DDS, as Marquette University is not a Board approved evaluation program. Motion carried unanimously.

**MONITORING**

**GRETCHEN EVENSON, DDS – REQUEST FOR MODIFICATIONS**

Gretchen Evenson, DDS, made a personal appearance before the Board to request modification of her order and full licensure.

**MOTION:** Linda Bohacek moved, seconded by Carol Howard, to modify the stipulation to decrease screens from 52 to 30 screens per year and to reaffirm that she is to call in every day to Firstlab and to allow DEA reinstatement. Motion carried unanimously.

**DENNIS ANDERSON, DDS – REQUEST FOR MODIFICATIONS**

**MOTION:** Linda Bohacek moved, seconded by Blaine Christman, to deny the request for modifications of the order for Dennis Anderson, DDS, and to request documentation of valid prescriptions for the positive drug screens within two (2) weeks of the date of the board order, Motion carried unanimously.

**MARK KUGLITSCH, DDS – REQUEST FOR MODIFICATIONS**

**MOTION:** Linda Bohacek moved, seconded by Nancy Rublee, to deny the request for modifications to the order for Mark Kuglitsch, DDS. Dr. Kuglitsch cannot re-petition for modifications until January 2010 based on the number and seriousness of the violations. Motion carried unanimously.

**Consulting with Legal Counsel**

Noted.

**Division of Enforcement – Meeting with Individual Board Members**

None.

## **DOE CASE CLOSINGS**

### **05 DEN 007**

**MOTION:** Adriana Jaramillo moved, seconded by John Grignon, to close case **05 DEN 007** for insufficient evidence. Motion carried unanimously.

### **06 DEN 115**

**MOTION:** Linda Bohacek moved, seconded by John Grignon, to close case **06 DEN 115** for no violation. Motion carried. Nancy Rublee was excused during deliberation and abstained from voting.

### **06 DEN 055**

**MOTION:** Carol Howard moved, seconded by Adriana Jaramillo, to close case **06 DEN 055** for prosecutorial discretion (3). Motion carried unanimously.

## **ADJOURNMENT**

**MOTION:** Adriana Jaramillo moved, seconded by Blane Christman, to adjourn. Motion carried unanimously.

The meeting adjourned at 4:14 p.m.